

## Borough of Roselle Park Regular Meeting of May 15, 2008

Attendee Name	Organization	Title	Status	Arrived
Ricky Badillo	Borough of Roselle Park	Councilman	A	7:30 PM
Rick Matarante	Borough of Roselle Park	Councilman	A	7:30 PM
Larry Dinardo	Borough of Roselle Park	Councilman	P	7:30 PM
Michael Yakubov	Borough of Roselle Park	Councilman	P	7:30 PM
Larissa Chen-Hoerning	Borough of Roselle Park	Councilwoman	P	7:30 PM
Modesto Miranda	Borough of Roselle Park	Councilman	P	7:30 PM
Joseph DeIorio	Borough of Roselle Park	Mayor	P	7:30 PM

Mayor DeIorio called the meeting to order at 7:30 p.m. and said it is being held in accordance with the Open Public Meetings Act and adequate notice of this meeting has been provided by law.

All contracts awarded by Mayor and Council must comply with the affirmative action requirements of P.L. 1975, C.172. (NJAC 17:27).

As required by the Fire Prevention Code, he indicated the fire exits and the procedure to be followed in case of fire.

Borough Clerk Cali read a short prayer followed by the Pledge of Allegiance.

### COMMUNICATIONS

Councilman Dinardo moved the following communication; seconded by Councilman Yakubov.

- Request from Roselle Park Project Graduation of 2008 to use the gazebo on June 1, 2008 from 9:00 a.m. to 2:00 p.m. for a rummage sale.

### REPORT AND RECOMMENDATIONS OF MAYOR

- Performed a wedding ceremony for Alexander Kozzi, who is serving in the armed forces and is being deployed to Iraq. He wished him God's speed and the best of luck. Tomorrow he is performing a wedding ceremony for Nelson Agruto, who is also being deployed and wished him God's speed and the best of luck.
- There have been several discussions regarding programs for senior citizens related to property tax relief. There are three programs available for them, one of which deals with the Senior Citizen Property Tax Freeze. Also, there is the Senior Citizen Property Tax Credit Program, which is a \$250 credit against the property tax bill. Lastly, there is the Homestead Rebate, which is done after income tax is filed. If anyone has questions about these programs, please contact the Tax Office or your Legislator.
- Did a Comcast Newsmakers taping regarding the Senior Citizen Property Tax Freeze Program.

- Asked residents to wear helmets for all bike riding, rollerblading, etc. At this time, there is no requirement to wear a helmet when riding the small razor scooter. A student in the Madison School System found a loophole in the law and Assemblyman Eric Munoz is sponsoring a bill to try and close that loophole. He asked the Governing Body to review the legislation and consider it for the next meeting.

## REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

### Councilman Dinardo

- Attended the Sherman School Spring Concert that was dedicated to Mr. Thomas Faria, who will be retiring this year.
- The Casano Center painting has been completed and he will be setting up some dates in June to install the flooring.
- Reminded everyone of the Townwide Garage Sale on June 14<sup>th</sup>.
- Recognized the O'Boyle Family and their daughter who is a world class Irish step dancer. She competes all over the United States, bringing recognition to our Borough. They were recently honored with a resolution from the Board of Chosen Freeholders and he would like to invite them to perform at the next meeting.

### Councilman Yakubov

- Urged parents to have children ride their bikes close to the curbs or on the sidewalks.
- Notification for the next Neighborhood Watch Meeting will be coming out this week. They will assign street captains; there are many volunteers throughout the Borough.
- Will be doing a site safety walk in the Fifth Ward on June 1<sup>st</sup> at 11:00 a.m. and will be looking at areas that need to be addressed.
- Seniors that would like to know if they are eligible for the Tax Freeze, forms are available in the Tax Office.
- Would like to check on the cost of installing permanent "25 mile per hour" signs in the Borough.
- If anyone needs help removing bulk items from their homes, call his Borough number at 908-245-2118 for help.
- Represented Councilman Badillo at the Rahway Valley Sewage meeting.

Mayor DeIorio congratulated Councilman Yakubov for earning his Masters Degree in Public Administration.

### Councilman Miranda

- The generator at the First Aid Squad building has been installed and it is running.
- Reminded the residents about the Townwide Garage Sale on June 14<sup>th</sup>.

Councilwoman Chen-Hoerning

- Anyone interested in volunteering for the town sprucing up group; there will be a meeting on Monday, May 19<sup>th</sup> at 7:00 p.m. at the Library.
- Attended a meeting of Union County League of Municipalities last week; it is a good way to get ideas from other municipalities.
- Would like to discuss the topic of visitor parking permits. Spoke to the Police Chief in the past and he is open to the possibility.

Mayor DeIorio said that can be given to the Public Safety Committee. At this time, if residents of the Borough are on a permit parking street and need parking for a medical reason, they can contact the Police Chief.

- Councilwoman Chen-Hoerning asked about safety helmets regarding tricycles or bicycles with training wheels.
- If anyone has anything left over from the garage sale, you can contact [www.freecycle.org](http://www.freecycle.org). It is a good way to keep things out of the landfills and to have someone else make good use of something you may no longer need.

Mayor DeIorio said on May 30th between 10:00 and 11:00 a.m., the National Relay for Life bus is making a stop in Roselle Park.

CERTIFICATES/PROCLAMATIONS

Certificates

- BAPS
- Judith Gibbons
- Cast and Crew of Anything Goes

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

Councilman Dinardo moved to approve the following minutes; seconded by Councilman Yakubov.

✓ Vote Record – Minutes – April 17, 2008					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MOTION BILLS & PAYROLLS BE NOT READ  
MOTION BILLS AND PAYROLLS PASSED FOR PAYMENT

Councilman Dinardo moved that bills and payrolls not be read and passed for payment; seconded by Councilman Miranda, all members present voting Aye, said motion was adopted.

PASSAGE OF ORDINANCES

Second Reading and Public Hearing

ORDINANCE NO. 2244

AN ORDINANCE AMENDING CHAPTER XXVII, ARTICLE III,  
SECTION 27-6.3 OF THE CODE OF THE BOROUGH OF ROSELLE  
PARK FOR THE PURPOSE OF ESTABLISHING THE RATE  
OF CHARGES FOR SEWER USERS IN THE BOROUGH

Councilman Dinardo moved to open the public hearing on Ordinance #2244; seconded by Councilman Miranda and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Asked the Mayor to explain this ordinance.

Mayor DeIorio said this ordinance is amending the sewer utility charges for those that are billed for sewer use based on consumption.

Mr. Blum said the rate for 2008 is 2.30 and an increase of twenty one cents; the minimum bill will be increased from \$44.00 to \$45.00. A two person household would be increased about \$19.00; a four person household would average about a \$25.00 increase and a five person household would increase \$34.00. The billing is based on the prior year's water consumption for ¾ of last year and the first ¼ of this year.

There being no one else wishing to speak, Councilman Dinardo moved to close the public hearing; seconded by Councilman Yakubov and adopted.

Councilman Dinardo moved that Ordinance #2244 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Miranda.

✓ Vote Record – Ordinance #2244		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTIONS**

The following resolutions, listed on consent agenda, were offered by Councilman Dinardo; seconded by Councilman Miranda.

**RESOLUTION NO. 132-08**

WHEREAS, Assembly Bill No. 1734 excludes military compensation of military personnel serving outside of the State of New Jersey from gross income tax; and

WHEREAS, this bill allows an exemption for certain military compensation from the gross income tax for those servicemen and women domiciled in New Jersey but serving their duty outside of the State of New Jersey; and

WHEREAS, Assemblyman Eric Munoz, Assemblywoman Nilsa Cruz-Perez and Assemblyman Ronald S. Dancer are the primary sponsors of this legislation, which would exclude certain military personnel income from gross income tax;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Roselle Park, in the County of Union and State of New Jersey, as follows:

1. That the Governing Body strongly supports Assembly Bill No. 1734 allowing an exemption for certain military compensation from the gross income tax for those servicemen and women domiciled in New Jersey but serving their duty outside of the State of New Jersey;
2. That a copy of this resolution be forwarded to the sponsors of this bill, to the members of the 21<sup>st</sup> Legislative District and to all Union County Municipalities.

<b>✓ Vote Record – Resolution #132-08</b>					
		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Adopted	Badillo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION NO.134-08**

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the resignation of Harry Uhrig from the Roselle Park Fire Department effective April 21, 2008 be and is hereby accepted.

<b>✓ Vote Record – Resolution #134-08</b>					
		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Adopted	Badillo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 142-08

WHEREAS, in 1908 Robert Gordon School was built and used for both elementary and high school purposes until 1916 when the Borough High School was built; and

WHEREAS, Robert Gordon School was one of the first poured concrete building in New Jersey and was named after a member of the first Borough Council; and

WHEREAS, residents of the Borough of Roselle Park have benefited from the education they received at the said Robert Gordon School, becoming citizens who succeed and progress; and

WHEREAS, the alumni of the said Robert Gordon School consist of numerous Roselle Park residents who contribute to the community in a professional and volunteer capacity, enhancing the quality of life for all residents; and

WHEREAS, the Mayor and Council along with the citizens of the Borough of Roselle Park wish to join in the celebration of this historical event;

NOW THEREFORE Be It Resolved, that I, Joseph DeIorio, Mayor of the Borough of Roselle Park, on behalf of the Governing Body and the residents of the Borough, extend sincere congratulations to Robert Gordon School in recognition of their 100<sup>th</sup> Anniversary.

✓ Vote Record – Resolution #142-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Dinardo moved the following resolution; seconded by Councilman Yakubov.

RESOLUTION #131-08

WHEREAS, Governor Jon S. Corzine’s budget proposal for New Jersey’s Senior Citizens 20 percent property tax rebate will be calculated on 2006 property tax bills and not apply to any increases in property tax bills for 2007,

WHEREAS, as a result of Governor Jon S. Corzine’s budget proposal, Senior Citizens will not receive a rebate consistent with property tax increases, instead rebates will be based on outdated tax bills, and

WHEREAS, Governor Jon S. Corzine’s budget proposal will reduce rebates to Senior Citizens \$34 million dollars, and

WHEREAS, the Senior Citizens of the Borough of Roselle Park have demanded that the Mayor and Council oppose the reduction of rebates to the Senior Citizens, and

WHEREAS, the Senior Citizens of the Borough of Roselle Park have suggested that all State Officials take a 30% cut in pay and pension and require a 30% co-payment in health benefits,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Roselle Park oppose any cut in the Senior Citizen Homestead Rebate program.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Jon S. Corzine, Senator Thomas Kean, Assemblyman Jon Bramnick and Assemblyman Eric Muñoz.

Councilwoman Chen-Hoerning said she is not comfortable with the 30% cut, but will vote for the resolution.

✓ Vote Record – Resolution #131-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Dinardo moved the following resolution; seconded Councilman Chen-Hoerning.

**RESOLUTION NO. 133-08**

WHEREAS, Assembly Bill No. 357 requires municipality to post sign on property subject of development application; and

WHEREAS, this bill would permit a designated municipal official, in a municipality which has adopted an ordinance for such purposes, to post a sign on the property which is the subject matter of a development application, for those applications for which a public notice of a hearing is required to be given; and

WHEREAS, the bill also provides that the failure of a designated municipal official to post or maintain a sign on the property which is the subject matter of a development application shall not invalidate any hearing or proceeding with respect to that application; and

WHEREAS, Assemblyman Patrick J. Diegnan, Jr., Assemblyman Eric Munoz and Assemblywoman Pamela R. Lampitt are the primary sponsors of this legislation, which would require a municipality to post a sign on property subject of development application;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Roselle Park, in the County of Union and State of New Jersey, as follows:

1. That the Governing Body strongly supports Assembly Bill No. 357 requiring a municipality to post sign on property subject of development application;
2. That a copy of this resolution be forwarded to the sponsors of this bill, to the members of the 21<sup>st</sup> Legislative District and to all Union County Municipalities.

Councilwoman Chen-Hoerning said she was not clear what this bill was stating.

Mayor DeIorio said originally this legislation was put forth because of a situation that occurred in Warren Township where there was a large development. Many of the people living outside the 200 foot scope of the project were not aware there was such an application before the board. It gives additional information to residents that may pass by the project, but are not within the 200 foot radius so they are not notified. This is supported by the New Jersey State League of Municipalities.

<b>✓ Vote Record – Resolution # 133-08</b>		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Adopted	Badillo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Dinardo moved the following resolution; seconded by Councilman Miranda.

**RESOLUTION NO. 141-08**

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that all bids received for Refuse Roll-Offs be and are hereby rejected and the Borough Clerk is hereby authorized to re-advertise for new bids.

Councilwoman Chen-Hoerning asked what happened to the bids.

Ms. Cali said the bid specifications did not specify the Borough wants to keep the return on the metal. Some contractors thought they could keep that and bid 0 instead of bidding trucking. It only specified per container and the Borough would not be keeping the proceeds from the metal. The specifications are being redone for clarification.

<b>✓ Vote Record – Resolution #141-08</b>		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Adopted	Badillo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Mayor DeIorio said Resolution No. 140-08 will be postponed for the next meeting and there is a closed session item for discussion that is relative to these particular resolutions for consideration.

**MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL**

Mayor DeIorio appointed Saeed Warden, 611 Andress Terrace, Union as a member of the Roselle Park Fire Department, effective immediately, to be assigned to the Faitoute Engine Company, all members present voting Aye, said appointment was confirmed.

Mayor DeIorio appointed Larissa Chen-Hoerning to the Roselle Park Planning Board, for a one year term ending December 31, 2008.

**REPORTS OF DEPARMENTS**

Councilman Dinardo moved to approve the following reports; seconded by Councilman Yakubov, all members voting Aye, said motion was adopted.



- Construction Department Report for April 2008
- Municipal Court Report for April 2008
- Code Enforcement Report for April 2008
- Casano Community Center Report for April 12, 2008 to May 12, 2008
- Tax Collector Report for April 2008

## PUBLIC COMMENT

Councilman Dinardo moved at 8:30 p.m. to open the public comment portion of the meeting; seconded by Councilman Miranda and adopted.

### Paul Endler, 143 E. Grant Avenue

- Reminded everyone that May 26<sup>th</sup> is the Memorial Day Parade beginning at Sherman School and then ending with services at the Library.

Mayor DeIorio said the Memorial Day Parade will begin at 10:00 a.m. and the services will begin at 11:00 a.m. at the Library.

### Jacob Magiera, 612 Sheridan Avenue

- Wished everyone a belated Happy Mother's Day.
- Resolution #131-08 regarding Homestead Rebates was supposed to be sent to all 21 municipalities.
- Asked who was in attendance at the meeting on May 7<sup>th</sup> in the Conference Room and Mayor DeIorio said the meeting was regarding the ongoing litigation of the Romerovski site. The court mandated the Borough to negotiate with the developer through the Court appointed Master Elizabeth Mackenzie. He will consult with the attorney as to whether he can disclose who was in attendance because of the litigation.
- Regarding the mediation asked if Borough Attorney Blake Johnstone was present and Mayor DeIorio said Mr. Surenian and his representatives were there.
- The Borough needs the representation of the Borough Attorney.
- When will the public be updated on the mediation meetings.

Mayor DeIorio said they have been informed by the Court appointed Master that they cannot discuss the mediation until after everything has ended. At that point, there will be a public discussion of what has been proposed and disclosed and whether or not the issues have been worked out. Mayor DeIorio said the next mediation sessions are scheduled for May 19<sup>th</sup>, May 27<sup>th</sup>, June 2<sup>nd</sup>, and July 9<sup>th</sup>.

- Mr. Magiera said on Westfield Avenue there are approximately 20 empty stores and buildings; on Chestnut Street there are 4 empty stores.
- Asked for the date of the next budget meeting.
- Asked how the Mayor placed in the 45 mile bicycle run that he did.

Mayor DeIorio said he will be participating in a 100 mile ride on May 18<sup>th</sup>.

- Mr. Magiera had information on economic stimulus payments; many people are not aware they have to file an income tax form for 2007.
- Thanked the Leader regarding their article in reference to the confusion in the air traffic over Newark Airport.
- Read from the Union County Air Traffic Advisory Board report.

Glen Marczewski, 622 Sherman Avenue

- Had information for Councilmembers pertaining to bicycle helmets.
- Spoke about door to door salesmen from Kirby vacuum ringing doorbells.
- Referred to an article in the Star Ledger regarding to the new housing rules to COAH.
- Asked how the Cranford Mayor is elected and Mayor DeIorio said they are a Township Committee form of government and the committee selects the Mayor each year.

Nick Pagnetti, 409 E. Grant Avenue

- Asked if there has been any thought of getting a new headquarters for the Roselle Park Museum and Mayor DeIorio said that has been discussed within the mediation process, but he cannot talk about that now due to the litigation of the Romerovski site.
- Asked about the OEM building.
- Asked if there has been discussion regarding the Belgian block curbing on E. Grant Avenue and Mayor DeIorio said not currently.

Mayor DeIorio said in the past the streets that do not have curbing would be reconstructed and the Belgian blocks installed.

- Mr. Pagnetti brought up the issue of the rusting of railway bridges; it is not only an eyesore, but also a safety issue.

Mayor DeIorio said former Councilman Rubilla was working on that issue. He said after an incident occurred in Michigan, he sent notices to the County who maintains the bridges and Gordon and Walnut Streets, Conrail and NJ Transit. There was some movement from the County and they redid some of the bridges.

- Mr. Magiera spoke about a Child ID Program, which he has been doing for 17 years. The program is held at the Masonic Lodge in Westfield. They take the height and weight of the child, fingerprinting by a law enforcement officer and also take a video indicating any distinguishing marks on the child, such as moles, as well as a DVD voiceprint. They have the child bite on a wafer giving a tooth print for the child, a DNA sample and the child's scent.
- The DVD is very important and it can be put on the internet in the case of a missing child.

- It is a totally safe program at no charge and all the information goes home with the parents and children.
- The program will take place on May 31<sup>st</sup> from noon to 2:30 p.m.
- He gave Mayor and Council a flyer with all the information.

Paul Banasiak, 524 Laurel Avenue

- Would like to see visitor parking passes and the parking ordinance addressed. He spoke to Councilwoman Chen-Hoerning; there are problems closer to the train station area.
- The sidewalk in front of the High School needs to be addressed; it is dangerous to walk in that area. The sidewalk is lower than the grassy areas and the water pools.
- Corner of Webster Avenue and Locust Streets by the train station, traffic does not stop for pedestrians in that crosswalk and it is very dangerous.

Councilman Yakubov said he will try sitting in on the Public Safety Meeting pertaining to the parking permit issue. Regarding the sidewalks by the High School, the Code Enforcement Officer sent a letter to the Board of Education so it could be investigated; hopefully they will address it.

Mayor DeIorio said a sidewalk problem is the responsibility of the homeowner.

Councilman Yakubov said regarding pedestrian traffic on Locust and Webster, when the Police are visible everything is fine and requested this issue be discussed at the Public Safety Meeting.

Councilman Miranda said it has been addressed by a police car in the past and he will speak to the Police Chief to see if they will put a car there again.

Suzanne Kinloch, 336 Sheridan Avenue

- The American Cancer Society Network will have the Fight Back Express bus at the Roselle Park High School on Friday, May 30<sup>th</sup> from 1:00 to 2:00 p.m. There will be a variety of government officials, sign the bus, the access to health care petition and show support for the American Cancer Society.
- There is still time to join the Relay for Life for Roselle Park on June 7<sup>th</sup> and 8<sup>th</sup> at the High School. Visit the website of [events.cancer.org/rsloselleparknj](http://events.cancer.org/rsloselleparknj) to sign up.
- At the Relay for Life, the Cancer Prevention Study 3 will take place.
- For information, email her at [pinkpanthers@juno.com](mailto:pinkpanthers@juno.com).
- Wished Mayor DeIorio good luck on his bike ride on Sunday.

There being no one else wishing to speak, Councilman Dinardo moved to close the public portion; seconded by Councilman Yakubov and adopted.

Mayor DeIorio said for the economic stimulus payments, a tax return must first be filed. You can receive up to \$600 for a single person and \$1,200 for a married couple; also a payment of \$300 for each child under 17.

Mayor DeIorio said there was discussion about the Kirby vacuum cleaner salesman and Ms. Cali said the man was licensed by the Borough. It took about two months for the Police Department to do a complete background check; he was given a license.

Councilman Yakubov said there was a memorial yesterday recognizing all those that served on Fire Department. He thanked them and said it shows their commitment to Roselle Park.

Mayor DeIorio said the next budget meetings are scheduled for Wednesday, May 28<sup>th</sup> and Friday, May 30<sup>th</sup> at 6:00 p.m.

Mayor DeIorio read the Closed Session resolution and said Council would be discussing the following matter:

- Ongoing Litigation – Roselle Park LLC vs. the Borough of Roselle Park

Mayor DeIorio said the remainder of the resolutions would be addressed after discussing the Closed Session items.

#### INTERRUPT REGULAR ORDER OF BUSINESS

Councilman Dinardo moved to interrupt the regular order of business for a Closed Session meeting; seconded by Councilman Yakubov and adopted.

#### RESUME REGULAR ORDER OF BUSINESS

Councilman Miranda moved to resume the regular order of business; seconded by Councilman Yakubov and adopted.

Mayor DeIorio said that during Closed Session, Council discussed the following matter:

- On-going Litigation – Roselle Park LLC vs. the Borough of Roselle Park

#### RESOLUTIONS – (Continued)

Councilman Dinardo moved the following resolution; seconded by Councilman Miranda.

#### RESOLUTION NO. 135-08

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Resolution No. 79-07, awarding a professional service contract of Jeffrey R. Surenian, Esquire as

Special Counsel, be and is hereby increased in an amount of \$35,000.00 not to exceed a total of \$210,000.00.

✓ Vote Record – Resolution #135-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Dinardo moved the following resolution; seconded by Councilman Yakubov.

**RESOLUTION NO. 136-08**

BE IT RESOLVED, that Resolution No. 62-08, authorizing a contract for Special Redevelopment Counsel to Joseph J. Maraziti, Jr. be and is hereby amended to increase the maximum amount specified an additional \$620.50 for a total amount not to exceed \$5,120.50.

✓ Vote Record – Resolution #136-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Dinardo moved the following resolution; seconded by Councilman Yakubov.

**RESOLUTION NO. 137-08**

BE IT RESOLVED that Resolution No. 238-07, authorizing the Professional Planning Services of Heyer, Gruel & Associates in the matter of Roselle Park LLC vs. Borough of Roselle Park in the amount not to exceed \$10,000 is hereby amended to increase the maximum amount specified to an amount not to exceed \$11,113.75.

✓ Vote Record – Resolution #137-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Dinardo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilmen Yakubov and Miranda voting Aye, and Councilman Dinardo and Councilwoman Chen-Hoerning voting No; Mayor DeLorío voting Aye and breaking the tie, said resolution was adopted.

Councilman Dinardo moved the following resolution; seconded by Councilman Yakubov.

RESOLUTION NO. 138-08

BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey that: Heyer, Gruel & Associates, be and is hereby awarded a professional planning service contract in the matter of Roselle Park LLC vs. Borough of Roselle Park for continued Mt. Laurel litigation in the amount not to exceed \$7,500.00 subject to certification of funds by the Chief Financial Officer.

<b>✓ Vote Record – Resolution #138-08</b>		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Adopted	Badillo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Mayor DeIorio said the \$7,500 amount is an outcome of the discussion during mediation. The Court appointed Master had requested as part of the discussion of having retail and residential on the site that the Borough provide detailed information on how it could work on that site. The monies are from a grant supplied by the County that the Borough has in compliance with the Master Plan and economic development.

Councilman Dinardo moved the following resolution; seconded by Councilman Yakubov.

RESOLUTION NO. 139-08

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Charles Blau be and is hereby awarded a contract in the amount of \$4,500 for the appraisal of properties Block 314/Lot 1 and Block 213/Lot 1.

<b>✓ Vote Record – Resolution #139-08</b>		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Adopted	Badillo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilmen Yakubov and Miranda voting Aye, and Councilman Dinardo and Councilwoman Chen-Hoerning voting No; Mayor DeIorio voting Aye and breaking the tie, said resolution was adopted

Mayor DeIorio thanked the Governing Body for allowing him to speak during Closed Session about the details during mediation and also for being very involved in this process. By

not moving forward with any payments to Heyer and Gruel, he would like some guidance as to how to proceed with the mediation.

There being no further business to come before the meeting, Councilman Dinardo moved to adjourn; seconded by Councilman Yakubov and adopted.

Attest:

Borough Clerk